

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|                              |   |                             |
|------------------------------|---|-----------------------------|
| AES NEWENERGY, INC.,         | : |                             |
| Plaintiff                    | : |                             |
|                              | : | Civil Action No. 02-CV-2733 |
| v.                           | : |                             |
|                              | : | JURY TRIAL DEMANDED         |
| POWERWEB TECHNOLOGIES, INC., | : |                             |
| Defendant.                   | : |                             |

**FIRST SET OF REQUESTS FOR PRODUCTION**  
**BY POWERWEB TECHNOLOGIES, INC.**  
**DIRECTED TO AES NEWENERGY, INC.**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Powerweb Technologies, Inc. ("Powerweb") hereby requests that AES NewEnergy, Inc. ("NewEnergy") produce the following documents and things, with an accompanying written answer, taken under oath, within thirty (30) days of service.

**I. INSTRUCTIONS**

1. You are required, in responding to this request, to obtain and furnish all information available to you and any of your representatives, employees, agents, brokers, servants, or attorneys and to obtain and furnish all information that is in your possession or under your control, or in the possession or under the control of any of your representatives, employees, agents, servants, or attorneys.
2. Each request which seeks information relating in any way to communications, to, from, or within a business, corporate entity, or governmental office, is hereby designated to demand, and should be construed to include, all communications by and between

**REMINDER:** Many of the Requests that follow use terms defined in Section II above. Each such Request uses those terms with the meanings set forth in Section II above. For example, the definition of "document" includes all types of medium including, but not limited to, electronic mail.

#### **IV. DOCUMENT REQUESTS**

1. All documents that refer to, relate to or evidence any of the facts or events alleged in the Complaint and/or the Counterclaim, including but not limited to:
  - a. the Confidentiality Agreement;
  - b. the Letter Agreement;
  - c. the Joint-Venture Agreement;
  - d. the Joint Marketing Agreement;
  - e. the Energy Technology information;
  - f. the proposed joint-venture between Powerweb and NewEnergy;
  - g. the Bell Atlantic Project;
  - h. the contracting documents; and/or
  - i. the detailed project implementation plan.
2. All documents that refer to, relate to or evidence the basis, in whole or in part, for your decision to enter and/or sign the Confidentiality Agreement.
3. All documents that refer to, relate to or evidence the basis, in whole or in part, for your decision to enter and/or sign the Letter Agreement.
4. All documents that refer to, relate to or evidence the basis, in whole or in part, for your decision to enter and/or sign the Joint-Venture Agreement.
5. All documents that refer to, relate to or evidence the basis, in whole or in part, for your decision to enter and/or sign the Joint Marketing Agreement.
6. All documents that refer to, relate to or evidence the basis, in whole or in part, for your decision to discontinue your business relationship with Powerweb.